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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RESPONSE UNDER 37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1600

AF/1600

In Re Application of: David WALLACH et al

Art Unit: 1633

Application No.: 09/380,546

Conf. No. 2755

Examiner: S. Kaushal

Filed: November 29, 1999

Washington, D.C.

For: CASH (CASPAE HOMOLOGUE) WITH DEATH EFFECTOR ...

Atty.'s Docket: WALLACH=23

Date: October 25, 2002

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OCT 30 2002

TECH CENTER 1600/2900

THE COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

Sir:

Transmitted herewith is a ☒ Amendment ☐ _____

in the above-identified application.

☐ Small Entity Status: Applicant(s) claim small entity status. See 37 C.F.R. §1.27.

☒ No additional fee is required.

☐ The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)		(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR		PRESENT EXTRA EQUALS
TOTAL	* 27	MINUS	** 43		0
INDEP.	* 2	MINUS	*** 4		0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					

ADDITIONAL FEE TOTAL

SMALL ENTITY

RATE	ADDITIONAL FEE
x 9	\$
x 42	\$
+ 140	\$
ADDITIONAL FEE TOTAL	
\$	

OR

OTHER THAN SMALL ENTITY

RATE	ADDITIONAL FEE
x 18	\$
x 84	\$
+ 280	\$
TOTAL	
\$	

OR

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

☒ Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

☐ It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

- ☐ First - \$ 55.00
☐ Second - \$ 200.00
☐ Third - \$ 460.00
☐ Fourth - \$ 720.00

Month After Time Period Set

Other Than Small Entity

Response Filed Within

- ☐ First - \$ 110.00
☐ Second - \$ 400.00
☐ Third - \$ 920.00
☐ Fourth - \$ 1440.00

Month After Time Period Set

☐ Less fees (\$ _____) already paid for ____ month(s) extension of time on _____.

☐ Please charge my Deposit Account No. 02-4035 in the amount of \$ _____.

☐ Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$ _____.

☐ A check in the amount of \$ _____ is attached (check no.).

☒ The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

BROWDY AND NEIMARK, P.L.L.C.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: WALLACH=23

In re Application of:

David WALLACH et al

Appln. No.: 09/380,546

Filed: November 29, 1999

For: CASH (CASPASE HOMOLOGUE)
WITH DEATH EFFECTOR DOMAIN,
MODULATORS OF THE FUNCTION
OF FAS RECEPTORS

) Conf. No. 2755

) Art Unit: 1635

) Examiner: B. Whiteman

) Washington, D.C.

) October 25, 2002

AMENDMENT

Honorable Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action of July 25, 2002,
please amend as follows:

IN THE CLAIMS

Please rewrite claims 49, 52, 65 and 66 in amended
form as follows:

H2 *SUB 1* 49 (Amended). A vector comprising the molecule in
accordance with claim 44.

H2 *SUB 1* 52 (Amended). Transformed host cells containing the
vector in accordance with claim 49.

H3 *SUB 1* 59 (Amended). A pharmaceutical composition for the
modulation of the FAS-R ligand- or TNF-effect on cells
comprising, as active ingredient, the polypeptide according to
claim 54.

OK
to enter
amendment
BW 11/18/02

#27/K.T.
11/4
H
(K.T.)
11/19